



CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING MINUTES
October 12, 2021 - 7:00 PM
City Council Chambers 400 East Military, Fremont NE

CITY COUNCIL REGULAR MEETING MINUTES

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the City Council Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Ellis, Ganem, Yerger, Sookram, Legband, Vaughan, Gibson and Jensen present. 8 members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

1. Motion to adopt current agenda for the October 12, 2021 Regular Meeting.
Motion made by Gibson, Seconded by Legband to move item 11 to preceding the public hearings. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Jensen, Seconded by Sookram to adopt current agenda for the October 12, 2021 Regular Meeting as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
11. Move to confirm appointment of Jesse Headid as Police Sergeant per Mayor recommendation. Motion made by Gibson, Seconded by Legband to confirm appointment of Jesse Headid as Police Sergeant per Mayor recommendation. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

PUBLIC HEARINGS:

2. Ordinance 5588 to modify and continue Business Improvement District No. 1 in the downtown (second reading). Mayor Spellerberg opened the public hearing. Motion made by Yerger, Seconded by Legband to receive statement from Larry Marvin into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Mayor Spellerberg closed the public hearing. Motion made by Yerger, Seconded by Ellis to continue the item. Voting Yea: Ellis, Ganem, Yerger Voting Nay: Gibson, Jensen, Legband, Sookram, Vaughan. Motion failed. Motion made by Legband, Seconded by Gibson to hold second reading of the Ordinance. Council Member Yerger moved,

seconded by Council Member Ellis to amend the motion to include further discussion and presentation by the BID with regard to Strategic Plan that supports increasing \$48,000 to \$60,000 budget. Voting Yea: Yerger, Ellis Voting Nay: Ganem, Sookram, Legband, Vaughan, Gibson, Jensen. Motion failed. Mayor Spellerberg called for a vote on the initial motion. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Motion carried. City Clerk provided second reading of the Ordinance.

3. Ordinance 5591 to amend Section 11-405 of the Unified Development Code regarding Floodway Overlay and Flood Fringe Overlay Districts (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Gibson to introduce and hold first reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of the Ordinance. Motion made by Jensen, Seconded by Gibson to suspend the rules and hold final reading of the Ordinance. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger Nay: Ellis. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger Nay: Ellis. The Ordinance was approved.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Jensen, Seconded by Sookram to approve consent agenda items 5, 6, 9 & 10. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger and Gibson. Motion carried.

4. Motion to approve September 29, 2021 through October, 2021 claims and authorize checks to be drawn on the proper accounts. Motion made by Legband, Seconded by Ganem to approve September 29, 2021 through October 12, 2021 claims and authorize checks to be drawn on the proper accounts. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
5. Receive Report of the Treasury
6. Dispense with and approve September 28, 2021 Regular City Council Meeting Minutes
7. Motion to accept two-year Maintenance Contract with Plibrico Company for maintenance of heating and cooling equipment at the Police Department. Motion made by Gibson, Seconded by Legband to accept two-year Maintenance Contract with Plibrico Company for maintenance of heating and cooling equipment at the Police Department. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
8. Resolution 2021-148 approving Outside Fire contracts from November 1, 2021 to October 31, 2022. Motion made by Yerger, Seconded by Sookram to approve Resolution 2021-148. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
9. Resolution 2021-149 authorizing staff to execute a purchase agreement with Anderson Auto Group of Lincoln, Nebraska for three (3) 2021 Ford Police Interceptor Utility vehicles

10. MainStreet Fremont Annual Report

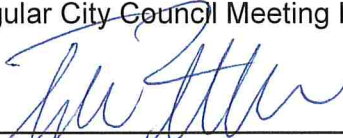
NEW BUSINESS: Requires individual associated action

12. Ordinance 5592 to sell Tech Park lot to Boulevard Boys Properties, LLC. Motion made by Ganem, Seconded by Jensen to introduce and hold first reading of Ordinance 5592. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of the Ordinance.
13. Resolution authorizing the Mayor to sign contract with Navajo Transitional Energy Company to purchase contract coal for 2022 and 2023. Motion made by Yerger, Seconded by Ellis to amend the Resolution to insert following CY 2022 and 2023 a nominal 8,800 BTU supply of Ultra Low Sulfur coal for Lon D. Wright Power Plant. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger Voting Nay: Gibson. Motion carried. Motion made by Yerger, Seconded by Legband to approve Resolution 2021-150 as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
14. Resolution authorizing Owners Engineering Services for EPA Effluent Limitations Guidelines (ELG) Rule for Lon D. Wright Power Plant Unit 8. Motion made by Council Member Yerger to amend the Third whereas to begin by saying the item is being submitted the City Council without UIB recommendation or approval. Motion failed due to lack of a second. Motion made by Gibson, Seconded by Legband to approve Resolution 2021-151. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
15. Resolution authorizing staff to sign contract for Propane Peak Shaving System Modification to Utility Energy Systems, LLC. Motion made by Yerger, Seconded by Ellis to receive amended resolution and agreement into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Gibson to amend the agreement to the version received into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Jensen to amend the Resolution to the version received into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Ganem to approve Resolution 2021-152 as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
16. Motion to deny request for a Change of Zone from GC, General Commercial to LI, Light Industrial on property generally located at 325 County Road T (aka Sheldon School Rd.). Motion made by Jensen, Seconded by Sookram to continue the item. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
17. Ordinance 5590 amending Sections 11-500 and 11-900 of the UDC to define "contractor Yard" and "Construction Sales Service", and to include them in the use tables and in the Agriculture, Industrial, Utility, Transportation, and Communication Use Standards (first reading). Motion made by Legband, Seconded by Sookram to introduce the Ordinance and hold first reading. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

ADJOURNMENT Motion made by Gibson, seconded by Jensen to adjourn; time: 8:57 P.M. Voting Yea: Yerger, Ellis, Legband, Ganem, Sookram, Vaughan, Jensen, Gibson. Motion carried.

Agenda posted at the Municipal Building on October 6, 2021 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on October 6, 2021. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA
Regular City Council Meeting Minutes for October 12, 2021.



Tyler Ficken, City Clerk



Joey Spellerberg, Mayor